

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>Plaintiff,</b>	)	<b>8:03CR388</b>
	)	
<b>vs.</b>	)	<b>ORDER</b>
	)	
<b>JEANETTE MARIE RUBIO,</b>	)	
	)	
<b>Defendant.</b>	)	

This matter is before the court following the defendant entering into federal custody. Previously, the government's motion for detention was held in abeyance pending the defendant coming into federal custody (Filing No. 69). Rubio has waived a detention hearing (Filing No. 72). Since it is Rubio's burden under 18 U.S.C. § 3143 to establish by clear and convincing evidence she is neither a flight risk nor a danger to the community, the court finds Rubio has failed to carry her burden and that Rubio should be detained pending a dispositional hearing before Chief Judge Bataillon.

**IT IS ORDERED:**

1. Defendant Jeanette Marie Rubio is committed to the custody of the Attorney General or his designated representative for confinement in a correctional facility;
2. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel; and
3. Upon order of a United States court or upon request of an attorney for the government, the person in charge of the corrections facility shall deliver defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 30th day of July, 2010.

BY THE COURT:

s/ Thomas D. Thalken  
United States Magistrate Judge